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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT TACOMA

7 JOHN GARRETT SMITH,

8 Plaintiff,

v.

9 UNITED STATES OF AMERICA,
10 Defendant.

11 No. 3:18-CV-05225-RBL-DWC

12 **ORDER ADOPTING REPORT AND
13 RECOMMENDATION**

14 The Court, having reviewed the Report and Recommendation of Magistrate Judge David
15 W. Christel, objections to the Report and Recommendation, if any, and the remaining record,
16 does hereby find and ORDER:

- 17 (1) The Court adopts the Report and Recommendation.
18 (2) Plaintiff's Complaint is dismissed without prejudice.
19 (3) The Clerk is directed to send copies of this Order to Plaintiff and to the Hon.
20 David W. Christel.

21 **DATED** this 14th day of June, 2018.

22 
23 Ronald B. Leighton

24 United States District Judge